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HOUSE BILL 2927

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State of Washington                      60th Legislature                      2008 Regular Session

By Representatives Schual-Berke, Hudgins, Hunter, Chase, Miloscia,  
and Upthegrove

Read first time 01/18/08. Referred to Committee on Local Government.

1            AN ACT Relating to port district commissioners; amending RCW  
2 53.12.260 and 53.12.270; and adding a new section to chapter 53.12 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 53.12.260 and 2007 c 469 s 3 are each amended to read  
5 as follows:

6            (1) Each commissioner of a port district shall receive ninety  
7 dollars per day or portion thereof spent (a) in actual attendance at  
8 official meetings of the port district commission, or (b) in  
9 performance of other official services or duties on behalf of the  
10 district. The total per diem compensation of a port commissioner shall  
11 not exceed eight thousand six hundred forty dollars in a year, or ten  
12 thousand eight hundred dollars in any year for a port district with  
13 gross operating income of twenty-five million or more in the preceding  
14 calendar year. This subsection does not apply to port districts  
15 subject to subsection (7) of this section.

16            (2) Except as required by subsection (7) of this section, port  
17 commissioners shall receive additional compensation as follows: (a)  
18 Each commissioner of a port district with gross operating revenues of  
19 twenty-five million dollars or more in the preceding calendar year

1 shall receive a salary of five hundred dollars per month; and (b) each  
2 commissioner of a port district with gross operating revenues of from  
3 one million dollars to less than twenty-five million dollars in the  
4 preceding calendar year shall receive a salary of two hundred dollars  
5 per month.

6 (3) Except as required by subsection (7) of this section, in lieu  
7 of the compensation specified in this section, a port commission may  
8 set compensation to be paid to commissioners.

9 (4) For any commissioner who has not elected to become a member of  
10 public employees retirement system before May 1, 1975, the compensation  
11 provided pursuant to this section shall not be considered salary for  
12 purposes of the provisions of any retirement system created pursuant to  
13 the general laws of this state nor shall attendance at such meetings or  
14 other service on behalf of the district constitute service as defined  
15 in RCW 41.40.010(9): PROVIDED, That in the case of a port district  
16 when commissioners are receiving compensation and contributing to the  
17 public employees retirement system, these benefits shall continue in  
18 full force and effect notwithstanding the provisions of RCW 53.12.260  
19 and 53.12.265.

20 (5) The dollar thresholds established in subsections (1) and (2) of  
21 this section must be adjusted for inflation by the office of financial  
22 management every five years, beginning July 1, 2008, based upon changes  
23 in the consumer price index during that time period. "Consumer price  
24 index" means, for any calendar year, that year's annual average  
25 consumer price index, for Washington state, for wage earners and  
26 clerical workers, all items, compiled by the bureau of labor and  
27 statistics, United States department of labor. If the bureau of labor  
28 and statistics develops more than one consumer price index for areas  
29 within the state, the index covering the greatest number of people,  
30 covering areas exclusively within the boundaries of the state, and  
31 including all items shall be used for the adjustments for inflation in  
32 this section. The office of financial management must calculate the  
33 new dollar threshold and transmit it to the office of the code reviser  
34 for publication in the Washington State Register at least one month  
35 before the new dollar threshold is to take effect.

36 (6) A person holding office as commissioner for two or more special  
37 purpose districts shall receive only that per diem compensation  
38 authorized for one of his or her commissioner positions as compensation

1 for attending an official meeting or conducting official services or  
2 duties while representing more than one of his or her districts.  
3 However, such commissioner may receive additional per diem compensation  
4 if approved by resolution of all boards of the affected commissions.

5 (7) Each commissioner of a port district in a county with one  
6 million or more residents must serve in a full-time employment capacity  
7 and must be compensated for the performance of his or her official  
8 services and duties at an amount equaling the salary paid to members of  
9 the county legislative authority of the county in which the port is  
10 located.

11 **Sec. 2.** RCW 53.12.270 and 1975 1st ex.s. c 12 s 1 are each amended  
12 to read as follows:

13 (1) The commission may delegate to the managing official of a port  
14 district such administrative powers and duties of the commission as it  
15 may deem proper for the efficient and proper management of port  
16 district operations. Any such delegation shall be authorized by  
17 appropriate resolution of the commission, which resolution must also  
18 establish guidelines and procedures for the managing official to  
19 follow.

20 (2) Nothing in this section allows the managing official or  
21 employees of a port district to waive policies related to competition  
22 in the procurement of goods and services without receiving prior  
23 approval, by resolution, from the commission.

24 (3) Nothing in this section allows the managing official of a port  
25 district to supervise or otherwise direct administrative staff and  
26 confidential assistants hired under section 3 of this act.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 53.12 RCW  
28 to read as follows:

29 Each commissioner of a port district in a county with one million  
30 or more residents must have at least one full-time administrative staff  
31 member and one full-time confidential assistant. Administrative staff  
32 and confidential assistants hired under this section: (1) Must assist  
33 the commissioner in the performance of his or her official services and  
34 duties; (2) must be subject to terms of employment established in  
35 accordance with RCW 53.08.170; and (3) may not be supervised or  
36 otherwise directed by the managing official of the port.

1           Administrative staff hired under this section must have experience  
2 in fiscal analysis.

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